

## Highlights

This 2025 edition includes the following revised chapters:

Chapter 15, Problems of Proof in Tort Cases, covering presumptions, *res ipsa loquitur*, spoliation of evidence and expert testimony.

Among the recent developments included:

- Standard of proof in criminal legal malpractices cases. *Clark v. State*, Ch. 25.
- The California Supreme Court clarifies the awareness element in bystander NIEH cases. *Downey v. City of Riverside*, Ch. 31.
- The Supreme Court considers when a public official's social-media activity constitutes state action under § 1983. *Lindke v. Freed*, Ch. 16.
- The Michigan Supreme Court addresses the recovery of attorneys fees in legal malpractice cases. *Hark Orchids, LP v. Buie*, Ch. 25.
- Amended F. R. Evid. Rule 702. Testimony by Expert Witnesses relating to *Daubert* cases.

Other opinions include retaliatory arrest, hospital emergency services, attorneys fees, product liability failure to warn, loss of parental consortium, wrongful death application to frozen embryos, wrongful life, bystander claims.